

that the article under seizure had disappeared, thus rendering the libel action moot. Accordingly, an order was entered by the court on 12-3-54, dismissing the libel.

**4779. Medicinal herb teas.** (F. D. C. No. 37338. S. Nos. 82-922/30 L.)

**QUANTITY:** 37 6-oz. pkgs. of *Formula No. 1*, 1 20-lb. drum and 5 6-oz. pkgs. of *Formula No. 2*, 175 lbs. in drums and 23 6-oz. pkgs. of *Formula No. 3*, 5 5-oz. pkgs. of *Formula No. 4*, 1 30-lb. drum and 10 5-oz. pkgs. of *Formula No. 5*, 1 20-lb. drum and 15 6-oz. pkgs. of *Formula No. 9*, 6 6-oz. pkgs. of *Formula No. 6*, 1 100-lb. drum of *Formula No. 7*, 1 20-lb. drum and 23 7-oz. pkgs. of *Formula No. 8*, at Chicago, Ill., in the possession of Father Francis' Herbs.

**SHIPPED:** From Jersey City and North Bergen, N. J. The *Formula No. 9* was shipped prior to 9-21-53, and the other articles were shipped between 1-14-54 and 8-30-54.

**LABEL IN PART:** (Pkg.) "Medicinal Herb Tea Formula No. 1 A Laxative Mixture \* \* \* Active Ingredients: Senna, Buckthorn, And also contains: Johnswort, Woodruff, Juniper, Peppermint, Knotgrass [or "Formula No. 2 A mildly alkaline Stomachic Mixture Contains: Boldo, Dandelion, Buckthorn, Johnswort, Juniper, Knotgrass, Life Everlasting," "Formula No. 3 A mildly alterative, alkaline Stomachic Mixture \* \* \* Contains: Horsetail, Johnswort, Myrtle, Huckleberry, Raspberry, Strawberry, Goat's Rue, Nettle, Linden, Bean, Dog Grass, Elecampane," "Formula No. 4 A mild herbal beverage Mixture \* \* \* Contains: Knotweed, Parsley, Java Tea, Birch, Blue Century, Bearberry," "Formula No. 5 For Coughs due to Colds & relief of minor Throat irritations \* \* \* Contains: Mullein, Sage, Iceland Moss, Comfrey, Anise, Ginseng," "Formula No. 6 A mildly alkaline, alterative Herbal Mixture \* \* \* Contains: Buckthorn, Knotgrass, Elder, Mistletoe, Coriander, Horsetail, Ginseng," or "Formula No. 8 A mildly alkaline, alterative Herbal Mixture \* \* \* Contains: Buckthorn, Bladderwrack, Goldenrod, Mistletoe, Sundew, Knotgrass, Star Anise,"], "Aromatic Bath Herbs Formula No. 9 For Refreshing Bath & Steam Bath \* \* \* Contains: Bladderwrack, Rosemary, Rose Buds, Lemon Verbena, Orris, Thyme, Lavender, Peppermint, Sage." (drum) "Cut & Sifted Formula #7 For #775 \* \* \* Containing The Following Passion Flower Herb White Willow Bark Hawthorne Berries Sweet Orange Peel."

**ACCOMPANYING LABELING:** Leaflets entitled "From NATURE'S Own LABORATORY . . . 'NATURE—The Best DOCTOR'."

**RESULTS OF INVESTIGATION:** The "*Formula No. 7*" was intended to be repackaged into 6-ounce packages and relabeled by the consignee as "Medicinal Herb Tea Formula No. 7." The other articles in the packages described above were repackaged from bulk shipments and relabeled by the consignee. The above-mentioned leaflets were printed locally for the consignee and distributed to prospective customers.

**LIBELED:** 11-3-54, N. Dist. Ill.

**CHARGE:** 502 (a)—the accompanying labeling of the articles (bulk and repackaged material) while held for sale contained false and misleading representations that the articles were effective in the treatment of the following conditions: (Formula No. 1) Conditions affecting the stomach and intestines, indigestion, hyperacidity, poisonous conditions of the intestines, colic, nausea, bloating, torpidity, headache, and insomnia; (Formula No. 2) Liver and gall-bladder troubles, impaired digestion, and impure intestinal tract; (Formula No.

3) Diabetes; (Formula No. 4) Kidney and bladder troubles, rheumatism, arthritis, internal pains, nervousness, sleeplessness, backache, swelling of ankles, puffiness under the eyes, loss of energy, loss of appetite, and lowered resistance against disease; (Formula No. 5) Bronchitis, sore throat, fever, and for preventing colds; (Formula No. 6) Rheumatism, gout, arthritis, neuritis, sciatica, lumbago, and muscular chill; (Formula No. 7) Nervousness, sleeplessness, weakened nerves, dizziness, heart trouble, palpitations of the heart, and breathlessness; (Formula No. 8) Obesity and overweight troubles; and (Formula No. 9) Impaired circulation of the blood, impure skin, impaired metabolism, and impaired health.

DISPOSITION: 2-23-55. Default—destruction.

4780. Various drugs. (F. D. C. No. 37710. S. Nos. 9-163/71 M.)

QUANTITY: 1 2,200-tablet bag and 21 100-tablet btls. of *Formula No. 247*, 46 100-tablet btls. of *Formula No. 125*, 41 100-tablet btls. of *Formula No. 162*, 42 100-tablet btls. of *Formula No. 9*, 32 100-tablet btls. of *Formula No. 84*, 15 100-tablet btls. of *Formula No. 262*, 13 100-tablet btls. of *Formula No. 75*, 52 10-oz. btls. of *Formula No. 275*, and 108 6-oz. btls. of *Scalp-Aid*, at Los Angeles, Calif., in the possession of Science Associates.

SHIPPED: Between 9-16-54 and 1-5-55, from Quitman, Ark., and Detroit, Mich.

LABEL IN PART: (Bag) "Gland-Food Tablets No. 247";

(btl.) "Dr. Nature' Brand Health Products Formula No. 247 100 Tablets Gland-O-Tone Tablets \* \* \* Ingredients: Sarsaparilla, Muira Puama, Damiana, Gentian, Hawthorne, Valerina, Boneset, Excipients [or "Formula No. 125 100 tablets Liver-Aid Tablets An deobstruent and tonic to the Liver \* \* \* Ingredients: Agrimony, Oak, Uva Ursi, Mandrake, Gentian, Chicory, Poplar, Fennel, Excipients," "Formula No. 162 100 Tablets Kidney-Aid Tablets A Diuretic and Tonic to the Kidneys and Bladder \* \* \* Ingredients: Juniper, Broom, Clevers, Nettle, Poplar, W. Pine, Bladderwrack, Plantain, Excipients," "Formula No. 9 100 Tablets Arthru Tablets Vegetable Anodyne and Tonic in Arthritic disorders \* \* \* Ingredients: Ava Kava, Birch, Papaya, Nettle, Quassia, W. Yam, Willow, Poplar, Excipients," "Formula No. 84 100-Tablets Nerv-O-Tone Tablets \* \* \* Ingredients: Valerian, Vervain, Cinchona, Hops, Squills, Mistletoe, Cola, Mint, Dill, Excipients," "Formula No. 262 100 Tablets General Tonic Tablets \* \* \* Ingredients: Saccharum O, Corn and Wheat Protein, Extract Molderlin, Excipients," "Formula No. 75 100 Tablets Lank-&-Lean Tablets \* \* \* Ingredients: Sassafras, Bladderwrack, Nettle, Burdock, Fennel, Cleavers, Yell. Dock, White Ash, Excipients," "Formula No. 275 10 Fluid Ozs. General Tonic Syrup \* \* \* Ingredients: Herbal Extracts of Medicago Sativa, Alfalfa, Lespedeza, Buffalo Herb, Luzerne, Prairie Herb, Saccharum O," and "Rx-2 Scalp-Aid \* \* \* Active Ingredients: Saponated Creosols, Acacacia [sic], Linseed, Bay and other Aromatic Oils. Contents 6 Oz. Less than 2% Alcohol"]."

ACCOMPANYING LABELING: Booklets entitled "New Health Products \* \* \* Catalog."

RESULTS OF INVESTIGATION: The articles in the bottles, after their shipment in interstate commerce, were relabeled by the consignee. The booklets were printed locally for the consignee.

LIBELED: On or about 3-17-55, S. Dist. Calif.